



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
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Minutes
August 9, 2011
APPROVED

Present:

ES: Ed Smith **JK:** Jeff Kablik **LG:** Lucy Gertz **JE:** Jerry Earl **JN:** John Nappi
BM: Brian Martin **LB:** Linda Bown **MM:** Matt Marro

Attachments:

1. Agenda
2. Scope of Work Summary for the Sidewalk & Wheelchair Ramps at Rte. 113 & 3A.
3. Mass DOT Email Correspondence regarding the Tyngsborough Sidewalk Improvement Project – 8/11/11
4. Mass DOT Revised Site Plans – 8/11/11
5. Site Plans for Subsurface Disposal System at 116 Middlesex Road – 7/26/11

7:00pm **ES** opened meeting

7:02pm **116 Middlesex Road (M21, P18, L0) – Request for Determination of Applicability** for the proposed replacement of a subsurface sewage disposal system.

JK: Motion to waive the reading of the legal notice and abutters list.

LG: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

Jeff Hannaford was present representing the applicant. He oriented the Commission as to the location of the site and the history behind why the system needed to be replaced. MM recommended a negative determination. Mr. Hannaford added that some tree clearing will have to be done, but since they are located far out of the buffer zone it would be less impacting and disturbing to the site. He noted that the new septic system is a mounded system.

ES inquired if a Board of Health variance was necessary. Mr. Hannaford indicated that it was just a setback issue with the wetlands. JK inquired as to the location of the original system. Mr. Hannaford showed the Commission the location of the old system and explained that it had failed due to the high ground water table. BM reviewed the location of the well system in relation to the location of the proposed system.

JN wanted to know if the property was flooded out in 2006. The answer was no. JN went on to inquire as to the area's topographic characteristics behind the site, and Mr. Hannaford explained. There were no abutters present to speak on this project.

LB: Motion to close the public portion of the hearing.

JK: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

JK: Motion to issue a Negative Determination for the replacement of a subsurface sewage disposal system at 116 Middlesex Road.

JN: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

7:10pm Winslow Road at Rt. 113 & Rt. 3A – Request for Determination of Applicability for the proposed construction of two segments of sidewalk along Winslow Rd. (on the island at the intersection of Winslow Rd. & Rt. 3A) and a standard wheelchair ramp on the farside of the crosswalk on Rt. 3A.

JK: Motion to waive the reading of the legal notice and abutters list.

JN: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

Andrea Norton from Mass Department of Transportation (DOT) appeared before the Commission and explained the proposal to rebuild the sidewalks along Winslow Road which would allow for Americans with Disabilities Act (ADA) compliance. LB inquired if there would be signage provided. Ms. Norton said that it was not in the contract to have signage, however, she would bring that request back to DOT. MM stated that a negative determination would be appropriate for the project, as there were no real discernable impacts to the wetlands.

ES inquired as to details on the wheelchair ramp and the cross walks. Ms. Norton explained the logistics of the location of the wheelchair and crosswalk access and why it was necessary. LB asked MM if there could be any potential impacts to the culvert if there was a flooding issue at the Flints Dam. MM noted that the project was not significant enough to impact the culvert or Dam. LB voiced her concern about the project scope and requested that Ms. Norton express those concerns to Mass DOT. There were no abutters present to speak on this project.

JK: Motion to close the public portion of the hearing.

JE: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

JK: Motion to issue a Negative Determination for a wheelchair ramp and sidewalk at Winslow Road at Rt. 113 & Rt. 3A

JE: 2nd the motion

In Favor: 6 Opposed: 1

Passes: 6-1

8:20pm 108 Chestnut Road (M8, P26, L0) – Request for Certificate of Compliance, DEP# 309-0799.
Order of Conditions issued 3/27/2007.

MM noted that the project was carried out as required in the Order of Conditions and the stabilization was complete, therefore, he recommended that a Certificate be issued.

JK: Motion to issue a Certificate of Compliance for 108 Chestnut Road, DEP# 309-0799.

JE: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

Director's Determinations

9 Franklin Drive (M25, P180, L0) – Garage

MM reported that this project is barely in the buffer zone and would not impact the resource area.

JK: Motion to approve the Director's Determination for 9 Franklin Drive.

JE: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

1 Alden Street (M31B, P3, L0) – Remove 1 dead tree

MM reported that this tree is almost totally dead and its removal would not impact the resource area.

JK: Motion to approve the Director's Determination for 1 Alden Street with the condition that the stump not be removed.

JE: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

Minutes/Bills/Other New Business:

JK: Motion to approve the minutes as written from June 28, 2011

LB: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0

BM: Motion to approve the minutes as written from July 12, 2011

LB: 2nd the motion

In Favor: 5 Opposed: 0 Abstain: 2

Passes: 5-0-2

The minutes from the July 26, 2011 meeting were not reviewed at this time.

JK requested that the Lake Massapoag Rod and Gun Club appear at the next meeting for an update on the weed harvesting project.

9:30pm

BM: Motion to adjourn

LB: 2nd the motion

In Favor: 7 Opposed: 0

Passes: 7-0